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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1853 0F 2005
IN
INCOME TAX APPEAL (LOD) NO.810 OF 2005

The Commissioner of Income Tax ..Appellant.

V/s.

Shri Shaikh Mukhtar Hussain ..Respondent.

Mr.A.S.Rao with P.S.Sahadevan for appellant.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 22ND OCTOBER, 2007.

P.C. :-

Delay is less than 200 days. Considering the practical difficulties which the Department was facing including referring the matters to the Law Department, Government of India for drafting the appeal memo and considering the affidavit in support of the notice of Motion, in our opinion, cause shown would amount to sufficient cause. Hence delay condoned. The Motion is made absolute in terms of prayer clause (a). Office to register the appeal.

Motion disposed of accordingly.

(J.P.DEVADHAR, J.) **(F.I.REBELL0, J.)**